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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/836,416	04/18/2001	Cheng-Shing Lai	LAIC3002/EM/6695	6853

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EXAMINER

CHOUDHURY, AZIZUL Q

ART UNIT

PAPER NUMBER

2143

DATE MAILED: 08/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/836,416

Applicant(s)

LAI ET AL.

Examiner

Azizul Choudhury

Art Unit

2143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 April 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 April 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Detailed Action

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-8 are rejected under 35 U.S.C. 102(b) as being anticipated by Birrell et al (US Pat No: US006185551B1), hereafter referred to as Birrell.

1. With regards to claim 1, Birrell teaches a method of enabling an electronic communication apparatus to receive a long e-mail message from an Internet server, including the steps of: driving POP3 (Post Office Protocol 3) of the communication protocol of the network communication software installed in the electronic communication apparatus to receive the head message of the e-mail message upon detection of the presence of said e-mail message in said internet server, and to send the head message to an upper module block said electronic communication apparatus; driving said upper module block to judge if the length of said e-mail message surpasses the maximum length receivable to said electronic communication apparatus; and driving said POP3 to receive said e-mail message segment by segment subject to the maximum length receivable to said electronic communication apparatus if the length of said e-mail message surpasses the maximum length receivable to said electronic

Art Unit: 2143

communication apparatus, and then to send the received e-mail message segments to the upper module block of said electronic communication apparatus one after another, for enabling said upper module block to register the received e-mail message segments in corresponding storage zones (Birrell teaches a design about an email system (column 1, line 63 – column 2, line 6, Birrell). As in all email systems, emails contain headers (column 9, line 11, Birrell). The client receives headers first since they contain crucial information such as the routing information (column 9, line 14, Birrell). In addition, Birrell's design has means by which to determine the size of the email and determine if an email is too large (column 12, line 62 – column 13, line 24, Birrell). If a message is too large, portions of the email, such as attachments, are not sent to the client. The email that is sent, just as any data that is sent in a network is sent in packets (equivalent to the claimed segments). Hence, just as claimed, in Birrell's design, the email is sent in packets and is received one after another and combined into a full data by the client (just as TCP/IP protocol requires), and portions are left out if the email is too large).

2. With regards to claim 2, Birrell teaches the method further comprising the step of driving said upper module block to connect said e-mail message segments into a complete e-mail message after all e-mail message segments have been received and registered in corresponding storage zones (The email that is sent, just as any data that is sent in a network is sent in packets (equivalent to the claimed segments). In addition, Birrell's design uses TCP/IP (column 3, line 19, Birrell). TCP/IP requires data to be

transferred in packets one after another. The receiving device receives these data packets where they are combined to form a single data entity as claimed).

3. With regards to claim 3, Birrell teaches the method further comprising the step of driving said POP3 to receive the data of said e-mail message if the length of said e-mail message is within the maximum length receivable to said electronic communication apparatus (Birrell's design allows for judging of email sizes and if the email size is not too large, it is sent without changes as claimed (column 12, line 62 – column 13, line 24, Birrell)).

4. With regards to claim 4, Birrell teaches the method further comprising the step of driving said POP3 to give a message to said upper module block when the last e-mail message segment of said e-mail message has been received, informing said upper module block that all of the e-mail message segments of said e-mail message have been well received (Birrell's design uses TCP/IP (column 3, line 19, Birrell). TCP/IP requires informing means to ensure data is transferred properly as claimed).

5. With regards to claim 5, Birrell teaches the method further comprising the step of driving said upper module block to receive all e-mail message segments of said e-mail message, and then to connect the e-mail message segments of said e-mail message one after another to form a complete e-mail message for storage (The email that is sent, just as any data that is sent in a network is sent in packets (equivalent to the claimed

Art Unit: 2143

segments). In addition, Birrell's design uses TCP/IP (column 3, line 19, Birrell). TCP/IP requires data to be transferred in packets one after another. The receiving device receives these data packets where they are combined to form a single data entity as claimed).

6. With regards to claim 6, Birrell teaches the method wherein said communication protocol of said network communication software installed in said electronic communication apparatus is TCP/IP (Transmission Control Protocol/Internet Protocol) (Birrell's design allows for the use of TCP/IP (column 3, line 19, Birrell)).

7. With regards to claim 7, Birrell teaches the method further comprising the step of driving said upper module block to connect all e-mail message segments to the head message data one after another to form a complete e-mail message for storage (The email that is sent, just as any data that is sent in a network is sent in packets (equivalent to the claimed segments). In addition, Birrell's design uses TCP/IP (column 3, line 19, Birrell). TCP/IP requires data to be transferred in packets one after another. The receiving device receives these data packets where they are combined to form a single data entity as claimed. The header is part of the email and must be part of the email (column 9, lines 11-15, Birrell), hence since the data packets are combined to form a single data entity (email message), the header must be combined with the data as well, as claimed).

8. With regards to claim 8, Birrell teaches the method further comprising the step of driving said upper module block to currently received e-mail message data to the head message to form an e-mail message for storage (The email that is sent, just as any data that is sent in a network is sent in packets (equivalent to the claimed segments). In addition, Birrell's design uses TCP/IP (column 3, line 19, Birrell). TCP/IP requires data to be transferred in packets one after another. The receiving device receives these data packets where they are combined to form a single data entity as claimed. The header is part of the email and must be part of the email (column 9, lines 11-15, Birrell), hence since the data packets are combined to form a single data entity (email message), the header must be combined with the data as well, as claimed).

Remarks

After careful review of the application, the examiner failed to note any truly unique traits within the design claims. The claims provided are seen as being general and would benefit from the inclusion of more detailed specifications. In addition, should the applicants have any further details regarding their design that would present their design as being truly unique over the prior art provided by the examiner, they are encouraged to amend the specifications and claims to reflect such changes.


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Azizul Choudhury whose telephone number is 703-305-7209. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on 703-308-5221. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AC


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